

## **REMARKS**

By this amendment, Applicants amend claims 1 and 3 to add dependencies to claim 15. Claims 1, 3, 5, 6, and 15-23 are currently pending.

In the Office Action, the Examiner rejected claims 1, 3, 5, 6, and 15-23 under 35 U.S.C. § 102(b) as anticipated by U.S. Patent No. 5,982,980 to Tada (hereinafter "Tada"). Applicants appreciate the Examiner's thorough examination of this application, especially the detailed citations which aided Applicants in reviewing the Examiner's comments. Nevertheless, Applicants respectfully traverse the rejection for the following reasons.

### **Regarding Claim Rejections under 35 U.S.C. § 102(b)**

In order to anticipate Applicants' claimed invention under 35 U.S.C. § 102, each and every element of the claim in issue must be found, either expressly described or under principles of inherency, in a single prior art reference. Further, "[t]he identical invention must be shown in as complete detail as is contained in the . . . claim." See M.P.E.P. § 2131, quoting Richardson v. Suzuki Motor Co., 868 F.2d 1126, 1236, 9 U.S.P.Q.2d 1913, 1920 (Fed. Cir. 1989).

Claim 5 recites a combination including, for example, "dividing said first audio information managed in the music reproduction unit into second audio information and third audio information." Tada fails to teach "dividing said first audio information managed in the music reproduction unit into second audio information and third audio information," as required by claim 5.

Tada discloses a karaoke apparatus for displaying still pictures instead of motion pictures during the performance of the music pieces. Tada, abstract. "The display still picture data is switched to another one in accordance with the progress of the music

piece” based on “a BGP (BackGround Picture) script data which is a picture sequence data.” Tada, column 4, lines 1-11. Tada further provides that “[a] script line is written for each switching of the display still picture” to control the switching, and the script line may use “tn” as “the time period elapsed after the start of the performance” and “Tn” as “the time period elapsed after the start of the switching of the picture.” Tada, FIG. 3, column 7, lines 27-39. As such, the switching in Tada is based on time periods, not based on audio information. Furthermore, switching pictures among a picture sequence does not necessitate a division of audio information. Therefore, Tada does not teach “dividing . . . audio information managed in the music reproduction unit”, and further fails to teach “dividing said first audio information managed in the music reproduction unit into second audio information and third audio information,” as required by claim 5. (emphasis added). Accordingly, Applicants submit that Tada does not disclose each and every element in claim 5 either expressly or inherently and therefore does not anticipate claim 5 under 35 U.S.C. § 102. Applicants respectfully request the withdrawal of the rejection of claim 5.

Claim 6 recites a combination including, for example, “combining said fourth audio information and said fifth audio information to form sixth audio information.” Tada fails to teach “combining said fourth audio information and said fifth audio information to form sixth audio information,” as required by claim 6.

Tada discloses that the karaoke apparatus comprises “the music piece data file for storing plural music piece data; the picture storing means for storing plural background still picture data and foreground still picture data; the picture sequence data storing means for storing plural picture sequence data in correspondence with the plural

music piece data; and the index file which designates a music piece data and a picture sequence data in correspondence with a karaoke music piece.” Tada, column 2, lines 40-47. As such, the management information in the index file always maintains an one-to-one relationship between “a music piece data and a picture sequence data in correspondence with a karaoke music piece.” (emphasis added). However, such teaching does not constitute “combining said fourth audio information and said fifth audio information to form sixth audio information,” as required by claim 6. Accordingly, Applicants submit that Tada does not disclose each and every element in claim 6 either expressly or inherently and therefore does not anticipate claim 6 under 35 U.S.C. § 102. Applicants respectfully request the withdrawal of the rejection of claim 6.

Claim 15 recites a combination including, for example, “reproducing said program chain information to search for the representative image; and reproducing the audio information corresponding to the searched representative image.” Tada fails to teach “reproducing said program chain information to search for the representative image; and reproducing the audio information corresponding to the searched representative image,” as required by claim 15.

Tada teaches “. . . the index file which designates a music piece data and a picture sequence data in correspondence with a karaoke music piece.” Tada, column 2, lines 45-47. Such teaching merely indicates that an one-to-one relationship between “a music piece data and a picture sequence data in correspondence with a karaoke music piece” may be maintained by the index file. However, Tada does not teach to “search for the representative image,” or to reproduce index file to “search for the representative image.” Therefore, Tada does not teach at least “reproducing said program chain

information to search for the representative image; and reproducing the audio information corresponding to the searched representative image,” as required by claim 15.<sup>1</sup>

Applicants thus submit that Tada does not disclose each and every element in claim 15 either expressly or inherently and therefore does not anticipate claim 15 under 35 U.S.C. § 102. Applicants respectfully request the withdrawal of the rejection of claim 15. Since amended claims 1 and 3 depend on claim 15, at least for the same reasons stated above, Applicants further request the withdrawal of the rejection of claims 1 and 3. As claims 16-23 depend on either claim 1 or claim 3, at least for the same reasons above, Applicants also request the withdrawal of the rejection of claims 16-23.

### **Conclusion**

In view of the foregoing amendments and remarks, Applicants respectfully request reconsideration and reexamination of this application and the timely allowance of the pending claims.

---

<sup>1</sup> In fact, Tada teaches searching for music piece number without reproducing the index file. As described in Tada, column 10, lines 16-19, “[w]hen the user selects a music piece, a search is performed on the index file 54 by using the music piece number and the designated music piece data is read out from the HDD 17 to the RAM 12 (s1).”

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: August 4, 2004

By: Richard V. Burgujian *g*  
Richard V. Burgujian  
Reg. No. 31,744  
*Robert E. ...*  
#27,432 *R*